IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

Bail Appl..No. 5695 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.18768/2006 Dated 18/07/2006
CRLMC.874/2007 of D.C. & SESSIONS COURT,KOZHIKODE
CRIME NO.35/06 OF NADAPURAM POLICE STATION

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PETITIONER:

SNISHIL LAL,AGED 29,S/O.KUNHISANKARAN,
KOKKALUKANDIYIL HOUSE,AROOR,VADAKARA TALUK,
KOZHIKODE DISTRICT.

BY ADV. SRI.NIDHI BALACHANDRAN

RESPONDENTS:

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1. STATE OF KERALA REP.BY THE PUBLIC
PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

2. SUB INSPECTOR OF POLICE,NADAPURAM
POLICE STATION,KOZHIKODE DISTRICT.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5695 of 2007

Dated this the 20th day of September, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Explosive Substances Act. The crux of the allegations is that the victim had meddled with a pen torch which allegedly was left at the place where it was found by the petitioner herein. When he tried to switch on the pen torch, an explosion resulted causing injuries to the victim. The investigation has revealed that the petitioner is the person who had left the pen torch with the explosive device at the place where the de facto complainant found it. Investigation is in progress. The petitioner was arrested on 25/8/07.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions. To a pointed query put by

this Court, the learned Public Prosecutor fairly submits that the investigation so far has not revealed any oblique motive, terrorist or subversive activity or any other similar motive for the petitioner making such an explosive device.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 26/9/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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